

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RESPONSIBILITY OF OWNERS OF RENTAL VEHICLES

Introduced By: Senators Euer, Lombardi, Coyne, and McKenney

Date Introduced: February 13, 2020

Referred To: Senate Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

SECTION 1. Section 31-34-6 of the General Laws in Chapter 31-34 entitled "Responsibility of Owners of Rental Vehicles" is hereby amended to read as follows:

~~31-34-6. Violation as misdemeanor.~~ **Violations.**

Any person who violates any of the provisions of this chapter shall be ~~guilty of a misdemeanor~~ subject to the fines enumerated in § 31-41.1-4.

SECTION 2. Section 31-41.1-4 of the General Laws in Chapter 31-41.1 entitled "Adjudication of Traffic Offenses" is hereby amended to read as follows:

31-41.1-4. Schedule of violations.

(a) The penalties for violations of the enumerated sections, listed in numerical order, correspond to the fines described. However, those offenses for which punishments may vary according to the severity of the offense, or punishment that require the violator to perform a service, shall be heard and decided by the traffic tribunal or municipal court. The following violations may be handled administratively through the method prescribed in this chapter. This list is not exclusive and jurisdiction may be conferred on the traffic tribunal with regard to other violations.

VIOLATIONS SCHEDULE

| | |
|--------------|-------|
| Sections of | Total |
| General Laws | Fine |

| | | | |
|----|---------------|---|---------|
| 1 | 8-8.2-2 | DOT, DEM, or other agency and department violations | \$85.00 |
| 2 | 24-10-17 | Soliciting rides in motor vehicles | 85.00 |
| 3 | 24-10-18 | Backing up prohibited | 85.00 |
| 4 | 24-10-20 | Park and ride lots | 85.00 |
| 5 | 24-12-37 | Nonpayment of toll | 100.00 |
| 6 | 31-3-12 | Visibility of plates | 85.00 |
| 7 | 31-3-18 | Display of plates | 85.00 |
| 8 | 31-3-32 | Driving with expired registration | 85.00 |
| 9 | 31-3-34 | Failure to notify division of change of address | 85.00 |
| 10 | 31-3-35 | Notice of change of name | 85.00 |
| 11 | 31-3-40 | Temporary plates – dealer issued | 85.00 |
| 12 | 31-4-3 | Temporary registration – twenty-day (20) bill of sale | 85.00 |
| 13 | 31-10-10 | Rules as to armed forces license | 85.00 |
| 14 | 31-10-30 | Driving on expired license | 85.00 |
| 15 | 31-10-32 | Notice of change of address | 85.00 |
| 16 | 31-10.1-4 | No motorcycle helmet (operator) | 85.00 |
| 17 | 31-10.1-5 | Motorcycle handlebar violation | 85.00 |
| 18 | 31-10.1-6 | No motorcycle helmet (passenger) | 85.00 |
| 19 | 31-10.1-7 | Inspection of motorcycle required | 85.00 |
| 20 | 31-12-12 | Local motor vehicle ordinance | 85.00 |
| 21 | 31-13-4 | Obedience to devices | 85.00 |
| 22 | 31-13-6(3)(i) | Eluding traffic light | 85.00 |
| 23 | 31-13-9 | Flashing signals | 85.00 |
| 24 | 31-13-11 | Injury to signs or devices | 85.00 |
| 25 | 31-14-1 | Reasonable and prudent speed | 95.00 |
| 26 | 31-14-3 | Condition requiring reduced speed | 95.00 |
| 27 | 31-14-9 | Below minimum speed | 95.00 |
| 28 | 31-14-12 | Speed limit on bridges and structures | 95.00 |
| 29 | 31-15-1 | Leaving lane of travel | 85.00 |
| 30 | 31-15-2 | Slow traffic to right | 85.00 |
| 31 | 31-15-3 | Operator left of center | 85.00 |
| 32 | 31-15-4 | Overtaking on left | 85.00 |
| 33 | 31-15-5(a) | Overtaking on right | 85.00 |
| 34 | 31-15-6 | Clearance for overtaking | 85.00 |

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|----|------------|---|----------|
| 1 | 31-15-7 | Places where overtaking prohibited | 85.00 |
| 2 | 31-15-8 | No passing zone | 85.00 |
| 3 | 31-15-9 | One way highways | 85.00 |
| 4 | 31-15-10 | Rotary traffic islands | 85.00 |
| 5 | 31-15-11 | Laned roadway violation | 85.00 |
| 6 | 31-15-12 | Following too closely | 85.00 |
| 7 | 31-15-12.1 | Entering intersection | 100.00 |
| 8 | 31-15-13 | Crossing center section of divided highway | 85.00 |
| 9 | 31-15-14 | Entering or leaving limited access roadways | 85.00 |
| 10 | 31-15-16 | Use of emergency break-down lane for travel | 85.00 |
| 11 | 31-15-17 | Crossing bicycle lane | 85.00 |
| 12 | 31-15-18 | Unsafe passing of person operating a bicycle | 85.00 |
| 13 | 31-16-1 | Care in starting from stop | 85.00 |
| 14 | 31-16-2 | Manner of turning at intersection | 85.00 |
| 15 | 31-16-4 | U turn where prohibited | 85.00 |
| 16 | 31-16-5 | Turn signal required | 85.00 |
| 17 | 31-16-6 | Time of signaling turn | 85.00 |
| 18 | 31-16-7 | Failure to give stop signal | 85.00 |
| 19 | 31-16-8 | Method of giving signals | 85.00 |
| 20 | 31-16.1-3 | Diesel vehicle idling rules first offense not to exceed | 100.00 |
| 21 | | second and subsequent offense not to exceed | 500.00 |
| 22 | 31-17-1 | Failure to yield right of way | 85.00 |
| 23 | 31-17-2 | Vehicle turning left | 85.00 |
| 24 | 31-17-3 | Yield right of way (intersection) | 85.00 |
| 25 | 31-17-4 | Obedience to stop signs | 85.00 |
| 26 | 31-17-5 | Entering from private road or driveway | 85.00 |
| 27 | 31-17-8 | Vehicle within right of way, rotary | 85.00 |
| 28 | 31-17-9 | Yielding to bicycles on bicycle lane | 85.00 |
| 29 | 31-18-3 | Right of way in crosswalks first violation | 85.00 |
| 30 | | second violation or any subsequent violation | \$100.00 |
| 31 | 31-18-5 | Crossing other than at crosswalks | 85.00 |
| 32 | 31-18-8 | Due care by drivers | 85.00 |
| 33 | 31-18-12 | Hitchhiking | 85.00 |
| 34 | 31-18-18 | Right of way on sidewalks | 85.00 |

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| 1 | 31-19-3 | Traffic laws applied to bicycles | 85.00 |
| 2 | 31-19-20 | Sale of new bicycles | 85.00 |
| 3 | 31-19-21 | Sale of used bicycles | 85.00 |
| 4 | 31-19.1-2 | Operating motorized bicycle on an interstate highway | 85.00 |
| 5 | 31-19.2-2 | Operating motorized tricycle on an interstate highway | 85.00 |
| 6 | 31-20-1 | Failure to stop at railroad crossing | 85.00 |
| 7 | 31-20-2 | Driving through railroad gate | 85.00 |
| 8 | 31-20-9 | Obedience to stop sign | 85.00 |
| 9 | 31-21-4 | Places where parking or stopping prohibited | 85.00 |
| 10 | 31-21-14 | Opening of vehicle doors | 85.00 |
| 11 | 31-21-18 | Electric vehicle charging station restriction | 85.00 |
| 12 | 31-22-2 | Improper backing up | 85.00 |
| 13 | 31-22-4 | Overloading vehicle | 85.00 |
| 14 | 31-22-5 | Violation of safety zone | 85.00 |
| 15 | 31-22-6 | Coasting | 85.00 |
| 16 | 31-22-7 | Following fire apparatus | 85.00 |
| 17 | 31-22-8 | Crossing fire hose | 85.00 |
| 18 | 31-22-9 | Throwing debris on highway – snow removal | 85.00 |
| 19 | 31-22-11.5 | Improper use of school bus– not to exceed five hundred dollars | |
| 20 | | for each day of improper use | (\$500) |
| 21 | 31-22-22(a) | No child restraint | 85.00 |
| 22 | 31-22-22(a) | Child restraint/seat belt but not in any rear seating position | 85.00 |
| 23 | 31-22-22(b), (f) | No seat belt – passenger | 40.00 |
| 24 | 31-22-22(g) | No seat belt – operator | 40.00 |
| 25 | 31-22-23 | Tow trucks – proper identification | 275.00 |
| 26 | 31-22-24 | Operation of interior lights | 85.00 |
| 27 | 31-23-1(b)(2) | U.S. department of transportation motor carrier safety rules | |
| 28 | | and regulations | Not less than \$85.00 |
| 29 | | | or more than \$500.00 |
| 30 | 31-23-1(e)(6) | Removal of an "out of service vehicle" sticker | 125.00 |
| 31 | 31-23-1(e)(7) | Operation of an "out of service vehicle" | 100.00 |
| 32 | 31-23-2(b) | Installation or adjustment of unsafe or prohibited parts, | |
| 33 | | equipment, or accessories: | |
| 34 | | (first offense) | 250.00 |

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| 1 | | (second offense) | 500.00 |
| 2 | | (third and subsequent offenses) | 1,000.00 |
| 3 | 31-23-4 | Brake equipment required | 85.00 |
| 4 | 31-23-8 | Horn required | 85.00 |
| 5 | 31-23-10 | Sirens prohibited | 85.00 |
| 6 | 31-23-13 | Muffler required | 85.00 |
| 7 | 31-23-13.1 | Altering height or operating a motor vehicle with an | |
| 8 | | altered height | 85.00 |
| 9 | 31-23-14 | Prevention of excessive fumes or smoke | 85.00 |
| 10 | 31-23-16 | Windshield and window stickers (visibility) | 85.00 |
| 11 | 31-23-17 | Windshield wipers | 85.00 |
| 12 | 31-23-19 | Metal tires prohibited | 85.00 |
| 13 | 31-23-20 | Protuberances on tires | 85.00 |
| 14 | 31-23-26 | Fenders and wheel flaps required | 85.00 |
| 15 | 31-23-27 | Rear wheel flaps on buses, trucks, and trailers | 85.00 |
| 16 | 31-23-29 | Flares or red flag required over four thousand pounds | |
| 17 | | (4,000 lbs.) | 85.00 |
| 18 | 31-23-40 | Approved types of seat belt requirements | 85.00 |
| 19 | 31-23-42.1 | Special mirror – school bus | 85.00 |
| 20 | 31-23-43 | Chocks required (1 pair) – over four thousand pounds | |
| 21 | | (4,000 lbs.) | 85.00 |
| 22 | 31-23-45 | Tire treads – defective tires | 85.00 |
| 23 | 31-23-47 | Slow moving emblem required | 85.00 |
| 24 | 31-23-49 | Transportation of gasoline – passenger vehicle | 85.00 |
| 25 | 31-23-51 | Operating bike or motor vehicle wearing ear phones | |
| 26 | | (first offense) | 85.00 |
| 27 | | second offense | 95.00 |
| 28 | | for the third and each subsequent offense | 140.00 |
| 29 | 31-24-1 through 31-24-54 | Times when lights required | 85.00 |
| 30 | 31-25-3 | Maximum width of one hundred and two inches (102") | |
| 31 | | exceeded | 85.00 |
| 32 | 31-25-4 | Maximum height of one hundred sixty-two inches (162") | |
| 33 | | exceeded | 85.00 |
| 34 | 31-25-6 | Maximum number and length of coupled vehicles | 500.00 |

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| 1 | 31-25-7 | Load extending three feet (3') front, six feet (6') rear | |
| 2 | | exceeded | 85.00 |
| 3 | 31-25-9 | Leaking load | 85.00 |
| 4 | 31-25-11 | Connections between coupled vehicles | 85.00 |
| 5 | 31-25-12 | Towing chain, twelve-inch (12") square flag required | 85.00 |
| 6 | 31-25-12.1 | Tow truck – use of lanes | |
| 7 | | (first offense) | 85.00 |
| 8 | | second offense | 95.00 |
| 9 | | for the third and each subsequent offense | 100.00 |
| 10 | 31-25-14(d)(1) | Maximum weight and tandem axles | 125.00 |
| 11 | 31-25-14(d)(2) | Maximum weight and tandem axles | 125.00 |
| 12 | 31-25-14(d)(3) | Maximum weight and tandem axles | 125.00 |
| 13 | 31-25-16(c)(2) | Maximum weight shown in registration per thousand lbs. | |
| 14 | | overweight or portion thereof | 85.00 |
| 15 | 31-25-16(c)(3) | Maximum weight shown in registration per thousand lbs. | |
| 16 | | overweight or portion thereof. | 125.00 |
| 17 | 31-25-16(c)(4) | Maximum weight shown in registration | 1,025.00 |
| 18 | | plus per thousand pounds overweight or portion thereof | \$125.00 |
| 19 | 31-25-17 | Identification of trucks and truck-tractors | |
| 20 | | (first offense) | 85.00 |
| 21 | | (second offense) | 95.00 |
| 22 | | for the third and subsequent offenses | 125.00 |
| 23 | 31-25-24 | Carrying and inspection of excess load limit | 175.00 |
| 24 | 31-25-27(c) | Maximum axle | |
| 25 | | (first offense) | 3,000.00 |
| 26 | | not to exceed | 5,000.00 |
| 27 | | for each and every subsequent offense | |
| 28 | 31-25-30 | Maximum axle Pawtucket River Bridge and Sakonnet River | |
| 29 | | Bridge | |
| 30 | | (first offense) | 3,000.00 |
| 31 | | not to exceed | 5,000.00 |
| 32 | | for each and every subsequent offense | |
| 33 | 31-27-2.3 | Refusal to take preliminary breath test | 85.00 |
| 34 | 31-28-7(d) | Wrongful use of handicapped parking placard | 500.00 |

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|----|-------------------------|---|-----------------------|
| 1 | 31-28-7(f) | Handicapped parking space violation: | |
| 2 | | First offense | 100.00 |
| 3 | | Second offense | 175.00 |
| 4 | | Third offense and subsequent offenses | 325.00 |
| 5 | 31-28-7.1(e) | Wrongful use of institutional handicapped parking | |
| 6 | | placard | 125.00 |
| 7 | 31-33-2 | Failure to file accident report | 85.00 |
| 8 | 31-34-2 | Proof of insurance-motor vehicle rental | 85.00 |
| 9 | 31-34-3 | Operation by person other than lessee | 85.00 |
| 10 | 31-36.1-17 | No fuel tax stamp (out-of-state) | 85.00 |
| 11 | | and not exceeding for subsequent offense | (\$100) |
| 12 | 31-38-3 | No inspection sticker | 85.00 |
| 13 | 31-38-4 | Violation of inspection laws | 85.00 |
| 14 | 31-41.3-15 | Automated school-zone-speed-enforcement system | 50.00 |
| 15 | 31-47.2-6 | Heavy-duty vehicle emission inspections: | |
| 16 | | First offense | 125.00 |
| 17 | | Second offense | 525.00 |
| 18 | | Third and subsequent offenses | 1,025.00 |
| 19 | 37-15-7 | Littering | not less than 55.00 |
| 20 | | not more than five hundred dollars (\$500) | |
| 21 | 39-12-26 | Public carriers violation | 300.00 |

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|----|--|--|----------|
| 22 | SPEEDING | | Fine |
| 23 | (A) One to ten miles per hour (1-10 mph) in excess of posted speed limit | | \$ 95.00 |
| 24 | (B) Eleven miles per hour (11 mph) in excess of posted speed limit with a fine | | 205.00 |
| 25 | of ten dollars (\$10.00) per mile in excess of speed limit shall be assessed. | | minimum |

26 (b) In addition to any other penalties provided by law, a judge may impose the following
27 penalties for speeding:

28 (1) For speeds up to and including ten miles per hour (10 mph) over the posted speed
29 limit on public highways, a fine as provided for in subsection (a) of this section for the first
30 offense; ten dollars (\$10.00) per mile for each mile in excess of the speed limit for the second
31 offense if within twelve (12) months of the first offense; and fifteen dollars (\$15.00) per mile for
32 each mile in excess of the speed limit for the third and any subsequent offense if within twelve
33 (12) months of the first offense. In addition, the license may be suspended up to thirty (30) days.

34 (2) For speeds in excess of ten miles per hour (10 mph) over the posted speed limit on

1 public highways, a mandatory fine of ten dollars (\$10.00) for each mile over the speed limit for
2 the first offense; fifteen dollars (\$15.00) per mile for each mile in excess of the speed limit for the
3 second offense if within twelve (12) months of the first offense; and twenty dollars (\$20.00) per
4 mile for each mile in excess of the speed limit for the third and subsequent offense if within
5 twelve (12) months of the first offense. In addition, the license may be suspended up to sixty (60)
6 days.

7 (c) Except for a technology surcharge assessed in accordance with § 8-15-11, any person
8 charged with a violation who pays the fine administratively pursuant to this chapter shall not be
9 subject to any additional costs or assessments, including, but not limited to, the hearing fee
10 established in § 8-18-4.

11 SECTION 3. This act shall take effect upon passage.

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LC004336
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RESPONSIBILITY OF OWNERS OF
RENTAL VEHICLES

- 1 This act would provide that violations of chapter 34 of title 31 pertaining to rental
- 2 vehicles are civil violations subject to the jurisdiction of the Rhode Island traffic tribunal.
- 3 This act would take effect upon passage.

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LC004336
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